

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION

JUN 05 2008

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
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CHARLES S. CANNADAY, )  
Plaintiff, ) Civil Action No. 2:07cv00053  
 )  
v. ) **FINAL JUDGMENT AND ORDER**  
 )  
MICHAEL J. ASTRUE, ) BY: GLEN M. WILLIAMS  
Commissioner of Social Security, ) SENIOR UNITED STATES DISTRICT JUDGE  
Defendant. )

For the reasons stated in the Memorandum Opinion accompanying this Final Judgment, it is **ADJUDGED** and **ORDERED** as follows:

- a. The motion for summary judgment filed by the Commissioner of Social Security is **OVERRULED**;
- b. The motion for summary judgment filed by the plaintiff is **OVERRULED**;
- c. The final decision of the Commissioner denying benefits is **VACATED**;
- d. The plaintiff's claims shall be **REMANDED** pursuant to "sentence four" of 42 U.S.C. § 405(g) for further development;
- e. The Clerk shall send a certified copy of this Final Judgment and the accompanying Memorandum Opinion to all counsel of record; and
- f. The Clerk is directed to close the case and strike it from the docket.

ENTER: This 5<sup>th</sup> day of June, 2008.

*Glen M. Williams*  
THE HONORABLE GLEN M. WILLIAMS  
SENIOR UNITED STATES DISTRICT JUDGE